

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

THE STATE OF TEXAS, et al.,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

§
§
§
§
§
§
§

Civil Action No. 4:20-cv-00957-SDJ

STIPULATION AND ORDER FOR REPRODUCTION OF DISCOVERY

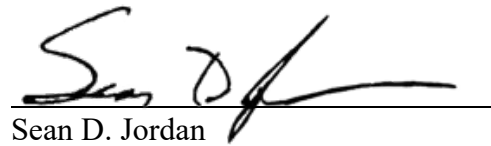
This stipulation and order is entered into by Plaintiffs and Defendant Google LLC. It is stipulated and agreed by Plaintiffs and Google, and ordered by the Court, that:

- (1) The materials produced by and deposition testimony of: (a) non-parties in *United States v. Google LLC*, No. 1:23-cv-00108 (E.D. Va.) (the “EDVA Action”) and in the DOJ’s related pre-suit investigation of Google’s display ads business, and (b) parties and non-parties in *In re: Google Digital Advertising Antitrust Litigation*, No. 1:21-md-03010 (S.D.N.Y.) (the “MDL Action”) (collectively, the “Materials”) are relevant and proportional to the parties’ claims and defenses in this case under this District’s standard. *See* Local Rule CV-26; *E-Contact Techs., LLC v. Apple, Inc.*, No. 1:12-CV-471-LED-KFG, 2013 WL 12143967, at *2 (E.D. Tex. Feb. 6, 2013) (citing Local Rule CV-26(d)); ECF No. 476.
- (2) Subject to and consistent with the Modified Protective Order in the EDVA Action and the Modified Confidentiality Order in the MDL Action (collectively, the “Confidentiality Orders”), Google shall reproduce in this case any Materials not previously produced to Plaintiffs in this case. To the extent any of the Materials

were designated as “Confidential” or “Highly Confidential” under either of the Confidentiality Orders, they shall be treated as “Confidential” or “Highly Confidential,” as designated, under the confidentiality order governing this case. *See* ECF No. 182.

- (3) Any EDVA Non-Party, MDL Party, or MDL Non-Party that wishes to object to the reproduction of its Materials in this case shall seek a protective order from this Court within seven days of Google’s service of this Order on it. If no such protective order is sought or if a protective order is sought and denied, the parties will be able to use and rely on the Materials in this case. Any reproductions of the Materials shall be made within five business days of the above-described seven-day period or, if applicable, within five business days of the denial of a motion for protective order. *See* EDVA Modified Protective Order, Dkt. 203, ¶¶ 25–27; MDL Modified Confidentiality Order, Dkt. 685, ¶¶ 25–27.
- (4) All the Materials reproduced to Plaintiffs can be used by any party in this case as if they were reproduced before the close of fact discovery in this case.

It is so stipulated, through parties’ respective counsel, and Ordered by the Court on this 30th day of May, 2024.


Sean D. Jordan
United States District Judge

Dated: May 28, 2024

/s/ W. Mark Lanier (by permission)

W. Mark Lanier
Mark.Lanier@LanierLawFirm.com
Alex J. Brown
Alex.Brown@LanierLawFirm.com
Zeke DeRose III
Zeke.DeRose@LanierLawFirm.com
10940 W. Sam Houston Pkwy N,
Suite 100
Houston, TX 77064
(713) 659-5200
THE LANIER LAW FIRM, PLLC

*Counsel for Texas, Idaho, Louisiana (The
Lanier Law Firm only), Indiana, North
Dakota, Mississippi, South Carolina, and
South Dakota*

Submitted on behalf of all Plaintiff States

Ashley Keller
ack@kellerpostman.com
150 N. Riverside Plaza, Suite 4100
Chicago, Illinois 60606
(312) 741-5220
Zina Bash
zina.bash@kellerpostman.com
111 Congress Avenue, Suite 500
Austin, TX 78701
(512) 690-0990
Noah S. Heinz
noah.heinz@kellerpostman.com
1101 Connecticut, N.W., 11th Floor
Washington, DC 20005
(202) 918-1123
KELLER POSTMAN LLC

NORTON ROSE FULBRIGHT US LLP
Joseph M. Graham, Jr.
joseph.graham@nortonrosefulbright.com
Geraldine Young
geraldine.young@nortonrosefulbright.com
1301 McKinney, Suite 5100
Houston, Texas 77010

Respectfully submitted,

/s/ R. Paul Yetter

R. Paul Yetter
State Bar No. 22154200
YETTER COLEMAN LLP
811 Main Street, Suite 4100
Houston, Texas 77002
(713) 632-8000
pyetter@yettercoleman.com

Eric Mahr (*pro hac vice*)
FRESHFIELDS BRUCKHAUS DERINGER US LLP
700 13th Street NW, 10th Floor
Washington, D.C. 20005
(202) 777-4500
eric.mahr@freshfields.com

ATTORNEYS FOR DEFENDANT GOOGLE LLC

(713) 651-5151
Marc B. Collier
Marc.Collier@nortonrosefulbright.com
98 San Jacinto Blvd., Suite 1100
Austin, Texas 78701
(512) 474-5201

FOR PLAINTIFF STATE OF TEXAS:

KEN PAXTON
Attorney General

/s/ Brent Webster (by permission)
Brent Webster, First Assistant Attorney General of Texas
Brent.Webster@oag.texas.gov
James R. Lloyd, Deputy Attorney General for Civil Litigation
James.Lloyd@oag.texas.gov
Trevor Young, Deputy Chief, Antitrust Division
Trevor.Young@oag.texas.gov
STATE OF TEXAS, OFFICE OF THE ATTORNEY GENERAL
P.O. Box 12548
Austin, TX 78711-2548
(512) 936-1674

Attorneys for Plaintiff State of Texas

CERTIFICATE OF SERVICE

I certify that, on May 28, 2024, this document was filed electronically in compliance with Local Rule CV-5(a) and served on all counsel who have consented to electronic service, per Local Rule CV-5(a)(3)(A).

/s/ R. Paul Yetter
R. Paul Yetter